



CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, February 16, 2021 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

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Meeting ID: 889 6402 9368

Passcode: 819886

Dial Toll Free:

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CALL TO ORDER AND ROLL CALL

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow (via teleconference)

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer

City Attorney Laura Mueller

City Treasurer Gina Gillis

Finance Director Shawn Cox

Communications Director Lisa Sullivan

City Secretary Andrea Cunningham

IT Coordinator Misty Dean

TIRZ Project Manager Keenan Smith

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:03 p.m.

PLEDGE OF ALLEGIANCE

Mayor Foulds, Jr. led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentation of Citizens.

PROCLAMATIONS & PRESENTATIONS

- 1. Approval of a Proclamation proclaiming February 22, 2021 as "President George Washington's Birthday" in the City of Dripping Springs.** *Sponsor: Mayor Foulds, Jr.*

Council Member King read the proclamation.

Via unanimous consent, the City Council approved a proclamation proclaiming February 22, 2021 as "President George Washington's Birthday" in the City of Dripping Springs.

CONSENT AGENDA

The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.

- 2. Approval of the January 12, 2021 and January 19, 2021 City Council regular meeting minutes.**
- 3. Approval of a Resolution Adopting a Downtown Mercer Street Banner Policy.** *Sponsor: Mayor Pro Tem Taline Manassian.*

Filed as Resolution No. 2021-R05

4. **Approval of an Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau for the Music Friendly Community Program with the Texas Office of the Governor.** *Sponsor: Mayor Pro Tem Taline Manassian.*

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 2 – 4. Council Member Harris-Allison seconded the motion which carried unanimously 4 to 0.

BUSINESS AGENDA

5. **Public hearing and consideration of approval of 2021-1106 Get Along Grill Sign Variance Request to Allow a Wall Sign to Exceed the Maximum Height and Lines of Text Allowed by the Planned Development District No. 2 Sign Regulations, located at 333 Highway 290, Suite 437, Dripping Springs, Texas, 78620.** *Applicant: Lindsey Sitton, Aetna Sign Group.*

Council Member Harris-Allison recused from this item. An Affidavit of Potential Conflict is on file in the City Secretary's Office.

a) Presentation – No presentation given.

b) Sign Administrator's Report

Michelle Fischer presented the Sign Administrator's Report which is on file. Staff recommends approval of the variance.

c) Public Hearing – No one spoke during the Public Hearing.

d) Variance Request

A motion was made by Mayor Pro Tem Manassian to approve 2021-1106 Get Along Grill Sign Variance Request to Allow a Wall Sign to Exceed the Maximum Height and Lines of Text Allowed by the Planned Development District No. 2 Sign Regulations, located at 333 Highway 290, Suite 437, Dripping Springs, Texas, 78620. Council Member King seconded the motion which carried 3 to 0 to 1, with Council Member Harris-Allison recused.

6. **Discuss and consider approval of an Ordinance of the City of Dripping Springs, Texas Amending the Current 2020-2021 Fiscal Year Budget.**

Gina Gillis was available for questions and her staff report is on file. Staff recommends approval of the budget amendment with the recommendation that the funds proposed to be transferred to the Capital Improvement Fund (CIP) be held in the contingency budget line item for emergency repairs.

A motion was made by Council Member King to approve an Ordinance of the City of Dripping Springs, Texas Amending the Current 2020-2021 Fiscal Year Budget with the condition that the Capital Improvement Fund (CIP) be held in contingency for emergency repairs. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2021-09

- 7. Discuss and consider the appointment of an individual to an unexpired term for Dripping Springs Council Member Place 3.**

No action was taken on this item.

- 8. Discuss and consider approval of a Professional Services Agreement between the City of Dripping Springs and TJKM for Grant Services related to the Old Fitzhugh Road Project. Sponsor: Mayor Pro Tem Manassian**

A motion was made by Council Member Harris-Allison to approve a Professional Services Agreement between the City of Dripping Springs and TJKM for Grant Services related to the Old Fitzhugh Road Project. Council Member King seconded the motion which carried unanimously 4 to 0.

- 9. Presentation and consideration of approval of the City of Dripping Springs Fiscal Year 2019-2020 Audit. Don Allman, CPA, PC**

Don Allman presented the Audit which is on file.

A motion was made by Council Member King to approve the City of Dripping Springs Fiscal Year 2019-2020 Audit. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

- 10. Discuss and consider approval of a Resolution approving the Notice of Transfer and capacity of assignee of the Westwood Amended and Restated Development Agreement, Westwood Public Improvement District Finance Agreement, and Westwood Utility Agreement from Scenic Land Holdings, LLC to Capital Land Investments 2, LP. Applicant Scenic Land Holdings, LLC**

Laura Mueller presented the staff report which is on file. Staff recommends approval of the resolution with the recommendation that the Mayor and City Attorney finalize associated documents.

The City Council took action on this item after Executive Session.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney, 551.072, Deliberations about Real Property, and 551.071, Deliberations about Personnel Matters, and regarding Executive Session Agenda Items 11 – 15 and Business Agenda Item 10. Council Member King seconded the motion which carried unanimously 4 to 0.

EXECUTIVE SESSION AGENDA

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

11. **Consultation with City Attorney regarding legal issues related to the Development Agreements, Municipal Utility Districts, and Density of Development on current projects including Cynosure/Wild Ridge.** *Consultation with Attorney, 551.071*
12. **Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
13. **Consultation with City Attorney and Deliberation of Real Property regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses and real property in the Triangle and Veterans Memorial Park.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
14. **Consultation with City Attorney on legal matters related to employment and deliberation regarding Personnel Matters related to the appointment, employment, evaluation, reassignment, duties, and discipline related to the building permit technician and code enforcement inspector.** *551.071 Consultation with Attorney; 551.074 Deliberation regarding Personnel Matters*
15. **Consultation with City Attorney related to legislative program and matters regarding water, wastewater, and other utility issues.** *Consultation with City Attorney, 551.071*

The City Council met in Executive Session from 6:38 p.m. – 7:11 p.m. No vote or action was taken during Executive Session.

Mayor Foulds, Jr. returned the meeting to Open Session at 7:11 p.m.

OPEN SESSION

The City Council took up Business Agenda Item 10.

Discuss and consider approval of a Resolution approving the Notice of Transfer and capacity of assignee of the Westwood Amended and Restated Development Agreement, Westwood Public Improvement District Finance Agreement, and Westwood Utility Agreement from Scenic Land Holdings, LLC to Capital Land Investments 2, LP. *Applicant Scenic Land Holdings, LLC*

A motion was made by Mayor Pro Tem Manassian to approve a Resolution approving the Notice of Transfer and capacity of assignee of the Westwood Amended and Restated Development Agreement, Westwood Public Improvement District Finance Agreement, and Westwood Utility Agreement from Scenic Land Holdings, LLC to Capital Land Investments 2, LP. Council Member Harris-Allison seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2021-R06

UPCOMING MEETINGS

City Council Meetings

March 9, 2021 at 6:00 p.m.

March 16, 2021 at 6:00 p.m.

April 13, 2021 at 6:00 p.m.
April 20, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

February 18, 2021 Farmers Market Association Board at 10:00 a.m.
February 18, 2021 Emergency Management Commission at 12:00 p.m.
February 22, 2021 Transportation Committee at 3:30 p.m.
February 23, 2021 Planning & Zoning Commission at 6:30 p.m.
February 24, 2021 Economic Development Committee at 4:00 p.m.
March 1, 2021 Parks & Recreation Commission at 6:00 p.m.
March 3, 2021 DSRP Board at 12:00 p.m.
March 4, 2021 Historic Preservation Commission at 4:00 p.m.
March 8, 2021 TIRZ No. 1 & No. 2 Board at 4:00 p.m.
March 8, 2021 Founders Day Commission at 6:30 p.m.
March 10, 2021 Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Council Member King to adjourn the meeting. Council Member Harris-Allison seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 7:13 p.m.

APPROVED ON: March 9, 2021

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary